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WALKER DIGITAL
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OFFICE OF PETITIONS

In re Application of
Walker, et al.
Application No. 09/316,546
Filed: May 21, 1999
Attorney Docket No. 99-012

ON PETITION

This is a decision on the petition under 37 CFR 1.78(a)(3), filed May 2, 2003 (Certificate of Mailing dated April 29, 2003), to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior filed nonprovisional application number 08/920,116.

This petition under 37 CFR 1.78(a)(3) is **DISMISSED AS MOOT**.

A petition under 37 CFR 1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000. See 37 CFR 1.78(a)(2)(ii). The above-identified application was filed on May 21, 1999.

Accordingly, the \$130 petition fee submitted is unnecessary and will be refunded to petitioner in due course.

This application is being forwarded to Technology Center 3600 for consideration of the amendment filed May 2, 2003.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.

Charles Pearson
Director
Office of Petitions